



Alan C. Lloyd, Ph.D.
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

8800 Cal Center Drive
Sacramento, California 95826-3200



Arnold Schwarzenegger
Governor

August 24, 2005

Ms. Gail Youngblood
BRAC Environmental Coordinator
Fort Ord Base Realignment and Closure Office
Post Office Box 5004
Monterey, California 93944-5004

CONCURRENCE WITH FINDING OF SUITABILITY TO TRANSFER (FOST) TRACK 0
PLUG-IN C PARCELS, TRACK 1 AND TRACK 1 PLUG-IN PARCELS,
FORMER FORT ORD, MONTEREY, CALIFORNIA, JULY 2005

Dear Ms. Youngblood:

The Department of Toxic Substances Control (DTSC) has reviewed the FOST for the subject parcels and conditionally concurs that they are suitable to transfer. The parcels, acreage, intended use and recipient are listed in Table 1, attached. This concurrence is contingent upon the following:

- a. Army signing the Land Use Covenant regarding Groundwater Restrictions for Parcels S4.1.1, E4.3.1.2, E4.3.2.1, E4.6.1, E4.6.2, E8a.1.1.2, L5.6.1, and L5.6.2, prior to transfer.
- b. Fort Ord Reuse Authority signing the Land Use Covenant requiring protective measures for structures located within 1000 feet of the landfill (e.g. Parcels E4.3.1.2, L5.6.2, E4.3.2.1, L5.6.1, E4.6.2 and E8a.1.1.2) prior to transfer.
- c. California Department of Parks and Recreation entering into a Agreement and Land Use Covenant to address future monitoring of the beach areas, Parcels S3.1.1, S3.1.2, and S3.1.4 prior to transfer.

Please attach the following comment regarding lead-based paint to the FOST as an unresolved regulatory comment:

There are buildings on some of these Parcels that probably contain lead-based paint, and this paint may have fallen off the buildings into the soil. Further, the Army did not sample the buildings or the soil for lead-based paint. DTSC's position is that any soils surrounding structures containing

lead-based paint should first be evaluated by property owners for releases of lead-based paint to soils prior to the property being used for residential or other sensitive uses.

The FOST contains a section entitled "Environmental Protection Provisions". These provisions will be part of the deed and include a section on lead-based paint which states that the property recipient shall not permit the occupancy or use any of the buildings or structures on the property as residential real property without complying with applicable federal, state and local laws and regulations pertaining to lead based paint hazards. Please be advised that "lead based paint hazards" include lead contamination in soil from lead based paint. DTSC intends to work with all parties to assure the Army's Environmental Protection Provisions and the State law and regulations are complied with regarding lead contaminated soil on former Fort Ord.

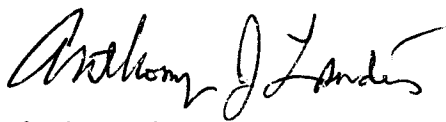
Because Fort Ord operated as a Resource Conservation and Recovery Act (RCRA) hazardous waste facility, the owner is required to conduct corrective action for any release or potential release of hazardous substances on the whole facility. The "facility," defined as the Fort Ord Hazardous Waste Facility, is the entire base within the original base boundary. In order to remove this potential corrective action liability for any current or future owners of former Fort Ord property, DTSC must make a Correction Action Complete Determination and Facility Boundary Modification in accordance with the California Hazardous Waste Control Law. This determination officially recognizes that all releases and potential releases of hazardous substances have been addressed pursuant to RCRA and terminates RCRA liability that could potentially be imposed upon future transferees. The boundary modification removes the property from the Fort Ord Hazardous Waste Facility. The Army has agreed to request a RCRA Corrective Action Complete Determination for these parcels. This Determination must be completed prior to transfer to prevent the transferee from incurring RCRA liabilities upon ownership of the property.

DTSC reserves the right to address any appropriate environmental or human health related issues should additional information concerning the environmental condition of subject property become available in the future.

Ms. Gail Youngblood
August 24, 2005
Page 3

Finally, please note that should this property be considered for the proposed acquisition and/or construction of school properties utilizing state funding, a separate environmental review process in compliance with California Education Code 12710 et.seq, will need to be conducted and approved by DTSC.

If you have any questions, please contact me at (916) 255-3732 or Theresa McGarry of my staff at (916) 255-3664.



Anthony J. Landis, P.E.
Chief
Northern California Operations
Office of Military Facilities

Attachment

cc: Mr. Nick Chulos
Principal Administrative Analyst
County of Monterey
230 Church Street, Building 3
Salinas, California 93901

Mr. Ronald M. Holland
Veterans Transition Center
220 12th street
Marina, California 93933

Mr. Derek Lieberman
Fort Ord Base Realignment and Closure Office
Post Office Box 5004
Monterey, California 93944-500

Mr. Michael Houlemard
Fort Ord Reuse Authority
100 12th Street, Building 2880
Marina, California 93933

Ms. Gail Youngblood
August 24, 2005
Page 4

cc: Ms. Claire Trombadore
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, California 93944-5004

Mr. David Murray
Department of Transportation
50 Higuera Street
San Luis Obispo, California 934401-5415

Mr. Grant Himebaugh
Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

Ms. Gail Youngblood
August 24, 2005
Page 5

bcc: Roman Racca, R.G.
Engineering Geologist
Office of Military Facilities

Theresa McGarry
Hazardous Substances Scientist
Office of Military Facilities

Table 1 – Description of Property

Parcel Number (Acreage)	Recipient	Intended Reuse	Facility Number(s)	ACM Present	LBP Present ¹
E11a (147)	FORA	Habitat Management	No buildings or structures	---	No buildings or structures
E11b.6.2 (18)	FORA	Development/Mixed Use	No buildings or structures	---	No buildings or structures
E15.2 (29)	FORA	Open Space	No buildings or structures	---	No buildings or structures
E20c.2.1 (25)	FORA	Future Housing	No buildings or structures	---	No buildings or structures
E2a (63)	FORA	Development/Mixed Use	No buildings or structures	---	No buildings or structures
E4.1.2.1 (10)	FORA	Housing	8726 - 8727	Yes	Yes
			8708	Yes	Yes
			8568 - 8569	Yes	Yes
			8560 - 8562	Yes	Yes
			8555	Yes	Yes
			8529	Yes	Yes
			8515	Yes	Yes
E4.1.2.2 (26)	FORA	Housing	8516 - 8528	Yes	Yes
			8709 - 8717	Yes	Yes
			8727 - 8731	Yes	Yes
			8563 - 8568	Yes	Yes
		Sewage Pump Station	8775	Not Surveyed	Yes
E4.1.2.3 (1)	FORA	Right-of-way, Booker Street	No buildings or structures	---	No buildings or structures
E4.3.1.2 (1)	FORA	Housing	No buildings or structures	---	No buildings or structures
E4.3.2.1 (46)	FORA	Housing	6016 - 6019	Yes	No
			6021 - 6024	Yes	No
			6026 - 6073	Yes	No
			6078 - 6079	Yes	No
		Sewage Pump Station	6143	No	No

Table 1 – Description of Property

Parcel Number (Acreage)	Recipient	Intended Reuse	Facility Number(s)	ACM Present	LBP Present ¹
E4.6.1 (25)	FORA	Right-of-way, Imjin Road	No buildings or structures	---	No buildings or structures
E4.6.2 (17)	FORA	Right-of-way, Imjin Road	5871	No	Yes
			5871A	Not Surveyed	Yes
E8a.1.1.2 (85)	FORA	Non-irrigated Open Space	4A39	Not Surveyed	Yes
L20.13.5 (7)	FORA	Right-of-way, South Boundary Road	No buildings or structures	---	No buildings or structures
L20.14.1.1 (8)	FORA	Right-of-way, Intergarrison Road	No buildings or structures	---	No buildings or structures
L20.14.2 (3)	FORA	Right-of-way, Intergarrison Road	No buildings or structures	---	No buildings or structures
L20.15 (20)	FORA	Development	No buildings or structures	---	No buildings or structures
L20.6 (247)	Monterey County	Laguna Seca Park	No buildings or structures	---	No buildings or structures
L23.5.1 (15)	Monterey Peninsula College	School	4360 - 4367	4360-4366 Yes (4367 - not surveyed)	Yes
L31 (12)	Veterans Transition Center	Housing	No buildings or structures	---	No buildings or structures
L5.6.1 (23)	FORA	Development/Mixed Use	No buildings or structures	---	No buildings or structures
L5.6.2 (8)	FORA	Marina Park Offices	6009 - 6010	Yes	No
			6014 - 6015	Yes	No
L9.1.1.2 (2)	Veterans Transition Center	Housing	8714 - 8719	Yes	Yes
L9.1.2.2 (2)	Veterans Transition Center	Housing	8732 - 8735	Yes	Yes
S3.1.1 (477)	California Department of Parks and Recreation	State Park	5989	Not Surveyed	Yes
			2066	Yes	Yes
			2076A – 2076I	2076A – B and 2076D – I yes, 2076C no	Yes

Table 1 – Description of Property

Parcel Number (Acreage)	Recipient	Intended Reuse	Facility Number(s)	ACM Present	LBP Present ¹
			2076J – 2076S	Not surveyed	Yes
			TR9070	Yes	No
			2019	No	Yes
			922	No	Yes
			924	No	Yes
			914 - 915	No	Yes
			919	No	Yes
			919A	Not surveyed	Yes
S3.1.2 (468)	California Department of Parks and Recreation	State Park	No buildings or structures	---	No buildings or structures
S3.1.3 (22)	California Department of Parks and Recreation	State Park	1A99	Yes	Yes
S3.1.4 (13)	California Department of Parks and Recreation	State Park	916	No	Yes
S4.1.1 (72)	Caltrans	Right-of-way, Highway 1	No buildings or structures	---	No buildings or structures

¹ The presence or absence of lead-based paint (LBP) is assumed based on the date of construction. If the date of construction is not known, it is assumed that the building contains LBP.